

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

IAN GITTLITZ,

Case No.: 814-73518 las

Debtor.

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**ORDER AUTHORIZING AND DIRECTING THE EXAMINATION OF, AND
PRODUCTION OF DOCUMENTS BY, ELLEN GITTLITZ, PURSUANT TO RULES 2004
AND 9016 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Upon the Application of the R. Kenneth Barnard as Trustee of the estate of Ian Gittlitz, seeking the entry of an Order pursuant to Rules 2004 and 9016 of the Bankruptcy Rules of Procedure, authorizing and directing the examination of Ellen Gittlitz (the "Witness") and directing the production of all of the books, records and documents, in her possession, custody or control as listed in this Order (the "Documents"), and sufficient cause appearing therefor, it is hereby

ORDERED, that pursuant to Bankruptcy Rule 2004, the Application be and hereby is approved and granted in all respects; and it is further

ORDERED that pursuant to Rule 9016 of the Bankruptcy Rules of Procedure, the Trustee's counsel, as an officer of the Court, be and hereby is authorized and directed to issue a Subpoena directing and compelling the examination of the Witness and/or the production and turnover of the Documents set forth in this Order, in accordance with Rule 45 of the Federal Rules of Civil Procedure (the "Subpoena"); and, it is further

ORDERED, that the Witness be and hereby is directed to appear for and submit to an

examination under oath by the Trustee or his counsel, pursuant to Rule 2004 of the Bankruptcy Rules of Procedure, on a date and at a time and place to be designated by the Trustee in a Subpoena to be served herewith; and

ORDERED that the examination continue from day to day until it is completed; and it is further

ORDERED, that the Witness be and hereby is directed to produce for examination and inspection, at the Law Offices of R. Kenneth Barnard, all documents in its possession, custody or control including, but not limited to, the following:

Document Request

1. with respect to the property at 5 Forsythe Meadow Ln, Stonybrook, NY: Deed into Ellen L. Gittlitz and Ian Gittlitz, HUD-1, Deed from Ian Gittlit to Ellen Gittlitz;
2. with respect to the property at 3 Toni Court, Center Moriches, NY: Deed into Ellen Gittlitz, HUD-1, all closing documents, Title report, Contract of sale;
3. Tax returns 2006 to 2014;
4. Statements, correspondence, e-mails, digital storage devices, with regard to all savings, investments, and financial accounts owned by, controlled by, or maintained for the benefit of Ellen L. Gittlitz for the years 2006 to present,
5. Documents demonstrating or evidencing the source of all funds deposited in any savings, investments, and financial accounts owned by, controlled by, or maintained for the benefit of Ellen L. Gittlitz for the years 2006 to present;
6. Statements, correspondence, e-mails, digital storage devices, with regard to all savings, investments, and financial accounts owned by, controlled by, or maintained for the benefit of Ian Gittlitz for the years 2006 to present,
7. Documents demonstrating or evidencing the source of all funds deposited in any savings, investments, and financial accounts owned by, controlled by, or maintained for the benefit of Ian Gittlitz for the years 2006 to present;
8. Bank statements and checks for all accounts owned by, controlled by, or maintained for the benefit of Ellen Gittlitz and/or Ian Gittlitz, for the years 2006 to present;

and it is further

ORDERED that service of a copy of this Order and the Subpoena on the Witness at the last known address of the Witness, by first class mail, or as otherwise permitted under

applicable New York State law shall be deemed good and sufficient notice and service of this Order and the Subpoena , be deemed good and sufficient notice and service; and it is further

ORDERED, that Trustee's counsel shall cause service of this Order and the Subpoena to be effected upon the Witness at least thirty (30) days prior to the date for production of documents and at least thirty-five (35) days prior to the date to appear for examination, which thirty-five (35) days may run concurrently with the notice for production of documents, which notice shall be deemed good and sufficient notice for the production of documents and for examination; and, it is further

ORDERED, that the Trustee may take such actions and execute such documents in accordance with the terms and conditions of this Order.